UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

THOMAS WHITEHILL,

            Plaintiff,

v.   **Civil Action No. 4:23-cv-01030**

ASTRAZENECA PHARMACEUTICALS
LP,

            Defendant.

DEFENDANT ASTRAZENECA PHARMACEUTICALS LP'S PARTIAL MOTION TO DISMISS

For the reasons set forth in the accompanying Memorandum of Law, which Defendant AstraZeneca Pharmaceuticals LP ("AstraZeneca") incorporates herein, AstraZeneca respectfully moves this Court to dismiss Plaintiff's age discrimination claim with prejudice from his Petition (Dkt. 6) pursuant to Federal Rule of Civil Procedure 12(b)(6) and grant judgment to AstraZeneca on that count because it fails to state any plausible claim upon which relief can be granted.

WHEREFORE, AstraZeneca, by its counsel, respectfully requests that the Court grant its partial motion to dismiss, dismiss Plaintiff's age discrimination claim with prejudice, set an answer deadline for Plaintiff's remaining claim, and provide such other relief as justice may require.

Dated: June 14, 2024

Respectfully submitted,

/s/ Elizabeth Herrington
Elizabeth Herrington
Thomas H. Severson (Pro Hac Vice)
MORGAN, LEWIS & BOCKIUS LLP
110 North Wacker Drive, 28th Floor
Chicago, IL 60606
(312) 324-1000
beth.herrington@morganlewis.com
tom.severson@morganlewis.com

Jocelyn R. Cuttino
(Pro Hac Vice Forthcoming)
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue NW
Washington, DC 20004-2541
(202) 739-3000
jocelyn.cuttino@morganlewis.com

Daniel Arnold Kadish (Pro Hac Vice)
MORGAN, LEWIS & BOCKIUS LLP
101 Park Avenue
New York, NY 10178
(212) 309-6328
daniel.kadish@morganlewis.com

Attorneys for Defendant AstraZeneca
Pharmaceuticals LP

2

CERTIFICATE OF SERVICE

I hereby certify that on June 14, 2024, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court using the Court's CM/ECF system, which will send notification to all counsel of record.

/s/ Elizabeth Herrington
Elizabeth Herrington